

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kelly Lyon	Team: Squad #11	CCRB Case #: 202005365	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 07/25/2020 9:00 PM	Location of Incident: Ludlow Street and Delancey Street; the 7th Precinct stationhouse	Precinct: 07	18 Mo. SOL 1/25/2022	EO SOL 5/4/2022	
Date/Time CV Reported Thu, 07/30/2020 5:14 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Thu, 07/30/2020 5:14 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM Driton Krasniqi	01161	949184	SRG 5
3. An officer			
4. CPT Joseph Taylor	00000	924542	SRG 3

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Joseph Licata	06437	954065	SRG 4
2. POM Stan Nova	06442	954179	PSA 1
3. POM Leonel Giron	21368	959658	SRG 1
4. POM Gregory Acerra	06077	952380	SRG 5

Officer(s)	Allegation	Investigator Recommendation
A.POM Driton Krasniqi	Force: Police Officer Driton Krasniqi used physical force against § 87(2)(b) § 87(2)(b)	
B. An officer	Discourtesy: At Ludlow Street and Delancey Street in Manhattan, an officer spoke discourteously to § 87(2)(b) § 87(2)(b)	
C.CPT Joseph Taylor	Force: At Ludlow Street and Delancey Street in Manhattan, Captain Joseph Taylor used physical force against § 87(2)(b) § 87(2)(b)	
D. Officers	Force: At Ludlow Street and Delancey Street in Manhattan, officers used physical force against § 87(2)(b) § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
E.POM Driton Krasniqi	Force: At Ludlow Street and Delancey Street in Manhattan, Police Officer Driton Krasniqi used physical force against § 87(2)(b)	
F. An officer	Force: At Ludlow Street and Delancey Street in Manhattan, an officer struck § 87(2)(b) with a baton.	
G.CPT Joseph Taylor	Discourtesy: At Ludlow Street and Delancey Street in Manhattan, Captain Joseph Taylor spoke discourteously to § 87(2)(b)	
H. An officer	Abuse: At Ludlow Street and Delancey Street in Manhattan, an officer damaged § 87(2)(b)'s property.	
I. An officer	Abuse: At the 7th Precinct stationhouse in Manhattan, an officer did not obtain medical treatment for § 87(2)(b) § 87(2)(b)	

Case Summary

On July 30, 2020, an § 87(2)(b) complainant filed this complaint with the CCRB online. This complaint was originally assigned to Supervising Investigator Miriam Lynch and was reassigned to Investigator Kelly Lyon on November 8, 2021, due to SI Lynch's departure from the CCRB.

On July 25, 2020, at approximately 9:00 p.m., in the vicinity of Ludlow Street and Delancey Street in Manhattan, § 87(2)(b) and her father, § 87(2)(b) were observing a protest that was about to occur. PO Stan Nova of Police Service Area 1, PO Leonel Giron of Strategic Response Group (SRG) 1, Captain Joseph Taylor of SRG 3, PO Joseph Licata of SRG 4, and PO Gregory Acerra and PO Driton Krasniqi of SRG 5 were present along with numerous additional officers.

§ 87(2)(b) walked up to the officers and stood one foot away from PO Krasniqi and PO Acerra and asked what was going on. PO Krasniqi pushed § 87(2)(b) back (**Allegation A: Force**, § 87(2)(g) § 87(2)(b) got in-between § 87(2)(b) and the officers. An officer said, "Fucking grab her," (**Allegation B: Discourtesy**, § 87(2)(g) § 87(2)(b)). Captain Taylor grabbed § 87(2)(b) and pulled her (**Allegation C: Force**, § 87(2)(g) § 87(2)(b)). Officers pushed § 87(2)(b) to the ground (**Allegation D: Force**, § 87(2)(g) § 87(2)(b)). PO Krasniqi grabbed § 87(2)(b) allegedly causing bruising to his arm (**Allegation E: Force**, § 87(2)(g) § 87(2)(b)). An officer jabbed § 87(2)(b) with a baton (**Allegation F: Force**, § 87(2)(g) § 87(2)(b)). § 87(2)(b) attempted to put his phone into his pocket and Captain Taylor told him "Don't go in your fucking pockets, you understand? I don't give a fuck what you were doing. Put your hands behind your back and shut up" (**Allegation G: Discourtesy**, § 87(2)(g) § 87(2)(b) § 87(2)(b)'s phone fell from his hand and an officer allegedly stepped on it causing the screen protector to crack (**Allegation H: Abuse of Authority**, § 87(2)(g) § 87(2)(b))).

§ 87(2)(b) and § 87(2)(b) were transported to the 7th Precinct stationhouse for arrest processing. At the 7th Precinct stationhouse, § 87(2)(b) was bleeding on the fingerprinting machine from her finger. § 87(2)(b) requested medical attention for her finger and did not receive any (**Allegation I: Abuse of Authority**, § 87(2)(g) § 87(2)(b)). § 87(2)(b) and § 87(2)(b) were eventually released.

This incident resulted in § 87(2)(b)'s and § 87(2)(b)'s arrests for obstructing governmental administration and disorderly conduct. Several others were arrested in the general vicinity; however, their arrests were unrelated to this complaint.

The investigation received nine cellphone videos (**BR 01, BR 02, BR 03, BR 04, BR 05, BR 06, BR 07, BR 08, and BR 09**; *videos* and **BR 10**; *summaries*) and 11 body-worn camera videos (**BR 11, BR 12, BR 13, BR 14, BR 15, BR 16, BR 17, BR 18, BR 19, BR 20, and BR 21**; *videos* and **BR 22**; *summaries*).

Findings and Recommendations

Allegation (A) Force: Police Officer Driton Krasniqi used physical force against § 87(2)(b).

Allegation (C) Force: At Ludlow Street and Delancey Street in Manhattan, Captain Joseph Taylor used physical force against § 87(2)(b).

Allegation (E) Force: At Ludlow Street and Delancey Street in Manhattan, Police Officer Driton Krasniqi used physical force against § 87(2)(b).

Allegation (G) Discourtesy: At Ludlow Street and Delancey Street in Manhattan, Captain Joseph Taylor spoke discourteously to § 87(2)(b).

It was undisputed that § 87(2)(b) was screaming in officers' faces prior to being arrested. § 87(2)(b) put himself in-between § 87(2)(b) and officers prior to his arrest.

§ 87(2)(b) stated (**BR 23**) that she heard that there were protestors coming from the Williamsburg Bridge and wanted to observe that protest. § 87(2)(b) and § 87(2)(b) went to Delancey Street, where they saw lines of many officers obstructing the sidewalk. § 87(2)(b)

§ 87(2)(b) was in the street at the time. § 87(2)(b) asked the officers why they could not walk on the sidewalk and did not receive an answer. As she was asking why she could not be on the street an additional time, § 87(2)(b) walked to within about one foot of PO Krasniqi to ask what was going on. She was not addressing one officer in particular.

§ 87(2)(b) repeated, “what gives you the right to tell me not to be here right now.” She probably used the phrase, “what the fuck gives you the right.” None of the officers did or said anything in response to this. There may have been commands to clear either the street or the sidewalk before that point, but § 87(2)(b) could not remember them clearly and she could not have cleared either the street or the sidewalk because the officers were in both places.

An officer shoved § 87(2)(b) backwards at the same time he told her to get back. § 87(2)(b) believed PO Krasniqi shoved her. § 87(2)(b) did not remember him issuing any commands before this. § 87(2)(b) did not go to the ground immediately. She probably stumbled or fell when she was shoved. She did not remember where the officer put his hands when he shoved her, but it might have been her chest.

§ 87(2)(b) at that point tried to get between § 87(2)(b) and the officers. An officer said, “Fucking grab her.” he initially remembered that there were several hands on her at the time. She remembered an officer shoving her but could not say where his hands were at the time that he shoved her. § 87(2)(b) was pushed to the ground but did not have a clear memory of what happened. She learned later from her father that a third officer ultimately pushed her to the ground. She felt several hands on her at once. Before she reached the ground, she felt a hand on her back. She caught herself on the ground with her hands and watched her father being arrested while she was on the ground. She was zip-tied tightly but did not observe who did it. She mentioned to at least PO Krasniqi that they were too tight, but she could not remember who else she told.

§ 87(2)(b) stated (BR 24) that he, his wife, and § 87(2)(b) followed a group of police south on Chrystie Street to Delancey Street in Manhattan. § 87(2)(b) learned that there may have been people coming from a bridge to Brooklyn and wanted to see what was going on. The officers, who were blocking both the street and sidewalk would not let them proceed towards the Brooklyn Bridge. § 87(2)(b) did not remember if there was vehicular traffic in the eastbound lane of Delancey Street, but the police had blocked off the traffic in the westbound lane of Delancey Street.

§ 87(2)(b) was getting close to the police officers and asking them what was going on. One officer told her to get out of the street and another started walking towards her. § 87(2)(b) said, “Don’t you touch me, don’t you fucking touch me” and backed onto the median at Delancey Street in the westbound lane. None of the officers touched her in any way. § 87(2)(b) and § 87(2)(b) then started east towards Ludlow Street. § 87(2)(b) and § 87(2)(b) became separated from § 87(2)(b)’s wife at the time. § 87(2)(b) did not remember any protest activity in the area.

There were several other bystanders taking video of a wall of officers blocking the sidewalk. This wall of officers consisted of perhaps 15 to 20 officers. § 87(2)(b) approached PO Krasniqi. She yelled at officers, “What the fuck are you doing, why the fuck can’t we walk down the sidewalk?” Some of the officers were laughing. He could not remember anything else she was saying to them. § 87(2)(b) and § 87(2)(b) were on the sidewalk. § 87(2)(b) was about a foot to a foot and a half from PO Krasniqi and § 87(2)(b) was slightly further away. He was looking at his phone at the time.

Captain Taylor said, “Get her,” and PO Krasniqi simultaneously or nearly simultaneously told her to get back and shoved her in the left shoulder. When he did this, § 87(2)(b) stepped between § 87(2)(b) and PO Krasniqi. Captain Taylor reached around PO Krasniqi’s right shoulder and shoved and grabbed § 87(2)(b) at the same time. Captain Taylor grabbed at what looked like § 87(2)(b) who then went behind § 87(2)(b) where he could not see her. He knew that she went to the ground, but he was not entirely sure of how he learned that. § 87(2)(b) continued to hear her call out to him.

Multiple officers grabbed § 87(2)(b) by the arms at around the same time that they were using force against § 87(2)(b). § 87(2)(b) believed that PO Krasniqi had his right arm, because he was in position to grab his right arm at the time that § 87(2)(b) stepped between § 87(2)(b) and PO Krasniqi. § 87(2)(b) had bruising on his right arm afterwards. He did not remember if he had bruising on his left arm. § 87(2)(b) was trying to slip his phone in his pocket and an officer told him to stop reaching for his pockets. § 87(2)(b) did not specify the exact phrasing the officer used when instructing him not to go in his pocket. He was not moving in any other way.

PO Krasniqi stated (BR 25) that § 87(2)(b) came in front of a line of officers being very irate, loud, screaming, and cursing. § 87(2)(b) approached the officers multiple times and PO Krasniqi told her to get back and go on the sidewalk multiple times. § 87(2)(b) was one to two feet away from PO Krasniqi's face. PO Krasniqi wanted § 87(2)(b) to step back for their safety and he did not want her to be in reach of any police equipment. § 87(2)(b) got back and then came back again. There were other people in the vicinity screaming but no one was as aggressive as § 87(2)(b).

§ 87(2)(b) came very close to PO Acerra, the officer next to PO Krasniqi, attempting to record over him with her cellphone. PO Krasniqi assumed § 87(2)(b) was trying to record prisoners going into the prisoner van. PO Acerra put his hand up to move § 87(2)(b)'s hand a little bit and she swatted his hand away. PO Krasniqi told § 87(2)(b) to get back. § 87(2)(b) said, "Or fucking what?" face to face PO Krasniqi. PO Krasniqi did not recall § 87(2)(b) making any threats. The captain behind PO Krasniqi, Captain Taylor, said, "She's getting arrested." Captain Taylor grabbed § 87(2)(b). PO Krasniqi never pushed § 87(2)(b) and never pushed her to the ground. PO Krasniqi did not know who handcuffed § 87(2)(b).

§ 87(2)(b) stepped in front of PO Krasniqi to prevent him from arresting § 87(2)(b). PO Krasniqi did not know who he was or where he came from. PO Krasniqi and other officers on scene grabbed § 87(2)(b) for obstructing the arrest and to place him in handcuffs. § 87(2)(b) placed his hand in between PO Krasniqi's baton and his body. PO Krasniqi was still holding his baton and had to put it away. PO Krasniqi did not recall whether § 87(2)(b) said anything. § 87(2)(b) stiffened up his arms as if he did not want to let the officers handcuff him. PO Krasniqi put his hand on § 87(2)(b)'s right arm. PO Krasniqi did not know which officers assisted in handcuffing § 87(2)(b) but believed one of them could have been a lieutenant. PO Krasniqi did not use any force on § 87(2)(b) aside from pulling his arm to handcuff him.

§ 87(2)(b) tried to go into his pocket and was warned not to. PO Krasniqi was not sure whether it was Captain Taylor or another officer. PO Krasniqi did not know if anyone said, "Don't go in your fucking pockets, you understand? I don't give a fuck what you were doing." PO Krasniqi did not do anything to prevent § 87(2)(b) from going into his pockets, rather, he held onto § 87(2)(b)'s arm because he was his arrestee.

Captain Taylor stated (BR 26) that there was a large crowd in the vicinity of Ludlow Street and Delancey Street. Captain Taylor did not know how long he was in the area before encountering § 87(2)(b) and § 87(2)(b). Captain Taylor formed a line with the officers on scene. § 87(2)(b) was very close to the line of officers. Captain Taylor's attention was drawn to § 87(2)(b) because he could hear her. § 87(2)(b) was verbally aggressive, yelling in officers' faces, and was possibly trying to move past them. § 87(2)(b) was asked numerous times to step back and refused to do so. PO Krasniqi held his baton horizontally with two hands and moved it in a "move back" motion. § 87(2)(b) continued yelling very close to officers' faces.

Within seconds, Captain Taylor came from behind the officers and informed them that § 87(2)(b) was going to be under arrest. Captain Taylor believed he did not say "Fucking get her." Captain Taylor grabbed § 87(2)(b)'s purse and pulled her toward himself. A line of

officers assisted in taking § 87(2)(b) into custody. § 87(2)(b) stepped forward and got in the way of officers placing § 87(2)(b) into custody. § 87(2)(b) was also placed under arrest. § 87(2)(b) put his hands in his pockets and Captain Taylor told him to “stop putting his hands in his fucking pockets.” Captain Taylor explained that he used the word “fucking” because it was in the heat of the moment. § 87(2)(b) complied with taking his hands out of his pockets.

PO Acerra stated (**BR 27**) that § 87(2)(b) approached officers and was screaming at them. She reached over PO Acerra with a cellphone. PO Acerra moved her arm by holding his arm out at shoulder height. PO Krasniqi was telling her to move back. PO Acerra explained to her that she could not do that and told her to back up. § 87(2)(b) started screaming and PO Acerra told her to get back. She approached PO Krasniqi in a threatening manner with her hands and made physical contact with him. It was possible that she could have been arrested for disorderly conduct. PO Acerra told her to get back for about five minutes. She stated, “or what” and cursed at him. He told her to get back at least 10 times. He did not remember any other officer besides PO Krasniqi telling § 87(2)(b) to get back.

Captain Taylor told § 87(2)(b) that she would get arrested. PO Acerra believed that he said, “She’s going.” He did not hear Captain Taylor using any profanity at the time. Captain Taylor reached at her and pulled her behind the line. PO Acerra did not see what happened with her after that as he did not want his attention drawn from behind the line. PO Acerra did not remember § 87(2)(b) being taken to the ground and did not see who handcuffed her. He did not see her being taken to the ground. PO Acerra did not observe any force being used against § 87(2)(b) besides Captain Taylor pulling her behind the line.

§ 87(2)(b) was arrested for obstructing governmental administration in the second degree and disorderly conduct (**BR 28**). Her arrest report stated that she approached officers and put her hands near their faces and did not obey orders to step back.

§ 87(2)(b) was arrested for obstructing governmental administration in the second degree (**BR 29**). His arrest report stated that he interfered with the arrest of § 87(2)(b).

The cellphone video downloaded from Twitter (**BR 02; video** and **BR 10; summary**) opens with § 87(2)(b) standing very close to PO Krasniqi. § 87(2)(b) is screaming profanities at the officers for telling her to back up. § 87(2)(b) takes two steps closer to PO Krasniqi and says, “Or fucking what?” as Captain Taylor grabs her. § 87(2)(b) then steps in front of § 87(2)(b) and is grabbed by officers. § 87(2)(b) starts to scream, “Dad.” As officers form a line around her, § 87(2)(b) goes out of sight and the video ends.

The video downloaded from § 87(2)(b)’s Twitter page (**BR 01; video** and **BR 10; summary**) opens with § 87(2)(b) standing in front of PO Krasniqi. PO Krasniqi appears to push § 87(2)(b) as Captain Taylor reaches for her.

PO Krasniqi’s body-worn camera footage (**BR 18; video**, **BR 22; summary**) shows starting at the beginning of the video, § 87(2)(b) standing in front of PO Krasniqi. § 87(2)(b) appears to be recording with her cellphone approximately one to two feet away from officers. At 00:20 seconds, PO Krasniqi appears to push § 87(2)(b) in the stomach, causing her to take step back several inches. § 87(2)(b) then appears to begin yelling at the officer to the right of PO Krasniqi. At 00:38 seconds, an arm reaches for § 87(2)(b) and § 87(2)(b) steps in front of her. Captain Taylor appears to pull § 87(2)(b) toward himself. PO Krasniqi grabs § 87(2)(b) by the arm and § 87(2)(b) is no longer in the frame. Additional officer step in to assist with handcuffing § 87(2)(b). At 1:00 minute, Captain Taylor says, “Don’t go in your fucking pockets, you understand?” § 87(2)(b) responds, “I’m not doing anything I’m just trying to [...]” and Captain Taylor replies, “I don’t give a fuck what you’re doing. Put your hands behind your back and shut up.” At 1:38 minutes, § 87(2)(b) is in front of PO Krasniqi in handcuffs screaming, “Dad.”

NYPD Patrol Guide procedure 221-01 (**BR 30**) states that force may be used when it is reasonable to place a person in custody or to prevent escape from custody. Any application of force must be reasonable under the circumstance and the following should be considered in

determining whether it is reasonable: The nature and severity of the crime/circumstance, actions taken by the subject, duration of the action, immediacy of perceived threat or harm to the subject, MOS, or bystanders, whether the subject is actively resisting custody, whether the subject is attempting to evade arrest by flight, number of subjects in comparison to number of MOS, size, age, and condition of subject compared to that of the MOS, subject's violent history, presence of hostile crowd or agitators, and whether the subject is apparently under the influence of stimulants/narcotics.

New York State Penal Law § 240.20 (BR 31) states that a person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, obstructs vehicle traffic or congregates with other persons in a public place and refuses with a lawful order of the police to disperse.

New York State Penal Law § 195.05 (BR 32) states that a person is guilty of obstructing governmental administration when they intentionally obstruct, impair, or pervert the administration of law or other governmental function by means of intimidation, physical force, or interference.

NYPD Patrol Guide procedure 200-02 (BR 33) states that officers are to respect the dignity of each individual and render services with courtesy and civility.

In DAO-DCT Case Number: 2015-15012 (BR 34), the court held that an officer is not permitted to use profanity when the profanity serves no legitimate purpose but to belittle the civilian.

§ 87(2)(b), § 87(2)(g) [REDACTED]
[REDACTED] § 87(2)(b)
[REDACTED]
[REDACTED]
[REDACTED] § 87(2)(b), § 87(2)(g) § 87(2)(b)
[REDACTED]
[REDACTED] § 87(2)(b)
[REDACTED]
[REDACTED] § 87(2)(b), § 87(2)(g) § 87(2)(b)
[REDACTED] § 87(2)(b)
[REDACTED]
[REDACTED]
[REDACTED]

Allegation (B) Discourtesy: At Ludlow Street and Delancey Street in Manhattan, an officer spoke discourteously to § 87(2)(b)

Allegation (D) Force: At Ludlow Street and Delancey Street in Manhattan, officers used physical force against § 87(2)(b)

Allegation (F) Force: At Ludlow Street and Delancey Street in Manhattan, an officer struck § 87(2)(b)
with a baton.

Allegation (H) Abuse of Authority: At Ludlow Street and Delancey Street in Manhattan, an officer damaged § 87(2)(b)
s property.

Allegation (I) Abuse of Authority: At the 7th Precinct stationhouse in Manhattan, an officer did not obtain medical treatment for § 87(2)(b)

Known facts and general descriptions

§ 87(2)(b) stated (BR 23) that when § 87(2)(b) got in-between her and the officers, she heard Captain Taylor say, "Fucking grab her." She remembered Captain Taylor shoving her but could not say where his hands were at the time that he shoved her. § 87(2)(b) was pushed to the ground but did not have a clear memory of what happened. She learned later from her father that a third officer ultimately pushed her to the ground. § 87(2)(b) was unable to describe this officer. She felt a number of hands on her at once. Before she reached the ground, she felt a hand on her back. She caught herself on the ground with her hands and watched

her father being arrested while she was on the ground. She was zip-tied tightly but did not observe who did it.

§ 87(2)(b) was able to see an officer kicking and stepping on her father's cellphone. She saw the officer kick the phone over to the curb and step on it once or multiple times. She believed that the screen was shattered at the time, but later learned that only a screen protector was broken.

A police van took § 87(2)(b) to the 7th Precinct stationhouse in Manhattan. § 87(2)(b) was placed in a cell with one other person. While § 87(2)(b) was in the holding cells area, she knew that there were officers around, but she could not see them. She waited in a line at the stationhouse to be processed initially. She did not remember any officer offering her medical attention. She asked for something to stem the bleeding on her right pinky as she was being fingerprinted because she was bleeding on the fingerprinting machine. § 87(2)(b) did not specify who she asked for medical attention and did not indicate whether anyone assisted her.

§ 87(2)(b) stated (BR 24) that he only heard Captain Taylor say, "Get her." § 87(2)(b) knew that § 87(2)(b) went to the ground, but he was not entirely sure of how he learned that. § 87(2)(b)'s phone was knocked from his hands. He saw it later on the curb, after he was handcuffed. § 87(2)(b) asked the officers to get it for him. It looked as if the screen was smashed, but a screen protector was broken.

At an unspecified time, an unidentified officer approached § 87(2)(b) with a baton and may have "jabbed" him with it, but he did not remember. § 87(2)(b) stated this officer was perhaps female but did not remember.

§ 87(2)(b) and § 87(2)(b) were driven to the 7th Precinct stationhouse in Manhattan. § 87(2)(b) and § 87(2)(b) were placed in adjacent cells after they waited to be processed in a line. § 87(2)(b) asked for someone to look at her left pinky finger which was bleeding and "banged up." Her leg may also have been bleeding. § 87(2)(b) did not remember who, if anyone specific, she asked. § 87(2)(b) and § 87(2)(b) were released at around 5:00 a.m.

Body-worn camera footage

PO Krasniqi's body-worn camera footage (BR 18; video, BR 22; summary) shows § 87(2)(b) in front of PO Krasniqi starting at the beginning of the video. At 40:00 seconds, when Captain Taylor begins to grab § 87(2)(b) approximately when the discourtesy "Fucking grab her," was alleged, there is no audio yet at this point. PO Krasniqi's attention turns to § 87(2)(b) and § 87(2)(b) is no longer in the frame, therefore the video does not capture officers taking § 87(2)(b) to the ground. From this point until the end of the video, the footage does not capture any officer jabbing or striking § 87(2)(b) with a baton. The footage does not capture § 87(2)(b)'s cellphone on the ground or any officer stepping on it. The video ends with § 87(2)(b) and § 87(2)(b) entering the prisoner van. There is no footage of § 87(2)(b) at the 7th Precinct stationhouse.

None of the other body-worn camera videos depict this portion of the incident.

Other video reviewed

The video downloaded from Twitter (BR 02; video and BR 10; summary) opens with § 87(2)(b) standing very close to PO Krasniqi. § 87(2)(b) is screaming profanities at the officers for telling her to back up. § 87(2)(b) takes two steps closer to PO Krasniqi and says, "Or fucking what?" as Captain Taylor grabs her. § 87(2)(b) then steps in front of § 87(2)(b) and is grabbed by officers. § 87(2)(b) starts to scream, "Dad." As officers form a line around her. § 87(2)(b) goes out of sight and the video ends. This video does not depict what happens to § 87(2)(b) after she goes behind the line of officers.

The video downloaded from § 87(2)(b)'s Twitter page (BR 01; video and BR 10; summary) opens with § 87(2)(b) standing in front of PO Krasniqi. PO Krasniqi appears to

push § 87(2)(b) as Captain Taylor reaches for her. § 87(2)(b) appears to struggle with officers as she yells, “Dad.” § 87(2)(b) goes behind a line of officers and can no longer be seen. Then the video ends without depicting what happens after § 87(2)(b) goes behind the line of officers.

The remaining cellphone videos reviewed did not depict this portion of the incident.

NYPD Documents reviewed

§ 87(2)(b)'s arrest report and § 87(2)(b)'s arrest report indicated that no force was used, and no Threat, Resistance, and Injury reports were prepared (**BR 28** and **BR 28**).

Ranking officers and officer interviewed

Captain Taylor was the highest-ranking officer directly involved in this incident. Captain Taylor stated (**BR 26**) that he was assigned to mobile field force 602 and was supervising. Captain Taylor did not remember specifically who was on his team that day. During the incident, § 87(2)(b) was asked numerous times to step back and refused to do so. When Captain Taylor came from behind the officers and informed them that § 87(2)(b) was going to be under arrest, he believed he did not say “fucking get her.” Captain Taylor grabbed § 87(2)(b)'s purse and pulled her toward himself. A line of officers assisted in taking § 87(2)(b) into custody. Captain Taylor did not indicate who the officers were who assisted in taking § 87(2)(b) into custody.

Captain Taylor did not know what happened to § 87(2)(b)'s cellphone. Captain Taylor did not observe an officer kick or step on § 87(2)(b)'s cellphone. Captain Taylor did not observe an officer poke § 87(2)(b) with an impact weapon.

An unknown officer handcuffed § 87(2)(b) while she was standing up. Captain Taylor did not see any officers pull or push § 87(2)(b) to the ground and he did not take her to the ground himself.

Captain Taylor did not remember whether he went to any precinct stationhouse for processing. Captain Taylor did not have a conversation with § 87(2)(b) at any stationhouse. Captain Taylor did not observe any injuries on § 87(2)(b). Captain Taylor did not have any knowledge of § 87(2)(b) bleeding on the fingerprinting machine.

During Captain Taylor's interview, PO Krasniqi's body-worn camera video (**BR 18; video, BR 22; summary**) was played from the beginning until 1:36 minutes and Captain Taylor did know the officers on the center left of the screen.

PO Krasniqi stated (**BR 25**) that he along with other unidentified officers, formed a security line to hold traffic from going through the intersection because there were a lot of people there. Within the hour, the officers were asked to form a second line and they moved a little further down the block to form a line behind a prisoner wagon so officers could safely load the prisoners. There were other people and protesters in the vicinity.

After § 87(2)(b) became very close, Captain Taylor said, “She's getting arrested.” PO Krasniqi did not remember whether Captain Taylor or any other officer said, “Fucking grab her.” Captain Taylor grabbed § 87(2)(b). PO Krasniqi never pushed § 87(2)(b) and never pushed her to the ground. PO Krasniqi did not know who handcuffed § 87(2)(b).

PO Krasniqi then grabbed § 87(2)(b) for interfering with § 87(2)(b)'s arrest. § 87(2)(b) placed his hand in between PO Krasniqi's baton and his body. PO Krasniqi was still holding his baton and had to put it away. PO Krasniqi did not use any force on § 87(2)(b) aside from pulling his arm to handcuff him. PO Krasniqi did not remember anyone jabbing § 87(2)(b) with an impact weapon such as a baton or asp.

PO Krasniqi did not remember § 87(2)(b) holding his phone while he was being placed under arrest. PO Krasniqi never kicked or stepped on § 87(2)(b)'s phone, and he did not observe that happening.

At the 7th Precinct stationhouse, PO Krasniqi did the arrest paperwork for § 87(2)(b).

§ 87(2)(b) and § 87(2)(b) but did not recall fingerprinting. PO Krasniqi did not recall either § 87(2)(b) or § 87(2)(b) having injuries. § 87(2)(b) complained about her handcuffs being too tight. PO Krasniqi did not recall § 87(2)(b) saying she had a laceration on her hand. PO Krasniqi did not recall § 87(2)(b) bleeding on the fingerprinting machine or asking for medical attention.

PO Acerra stated (**BR 27**) he was on line for a few minutes before several individuals approached him. PO Acerra remembered that other SRG units could have been on scene, but he did not know who they were. After telling § 87(2)(b) to get back, Captain Taylor told § 87(2)(b) that she would get arrested. PO Acerra believed that he said, “She’s going.” He did not hear Captain Taylor using any profanity at the time. Captain Taylor reached at her and pulled her behind the line. PO Acerra did not see what happened with her after that as he did not want his attention drawn from behind the line. He did not remember § 87(2)(b) being taken to the ground. He did not see who handcuffed her. He did not see her being taken to the ground. He did not observe an officer “jab” § 87(2)(b) with an impact weapon. PO Acerra did not observe any force being used against § 87(2)(b) besides Captain Taylor pulling her behind the line. He did not hear officer say, “Fucking get her.”

PO Acerra did not know if there was some kind of dispute with a phone. He did not see a phone being kicked and stomped on or see a screen protector being broken. He did not see any injuries on § 87(2)(b). PO Acerra went to a precinct stationhouse to assist with processing the arrests. He did not remember which stationhouse he went to. PO Acerra did not remember assisting with § 87(2)(b)’s arrest processing. He did not fingerprint her. He did not remember her bleeding on the machine and requesting medical assistance.

PO Giron stated (**BR 35**) that during the incident there were so many officers from different commands that PO Giron did not know who he was with. People were told to disperse over the Long-Range Acoustic Device, and they did not disperse so they were arrested. PO Giron arrested an individual named § 87(2)(b). PO Giron did not observe § 87(2)(b) on scene and did not know why she was placed under arrest or who her arresting officer was.

PO Giron went to the 7th Precinct stationhouse to process his arrest. § 87(2)(b) was behind PO Giron in line, and she was upset. PO Giron could tell by her impatient body movements that she was upset. PO Giron did not hear § 87(2)(b) complain of any injury and she did not appear to be injured. PO Giron fingerprinted § 87(2)(b) and did not participate in the fingerprinting of § 87(2)(b). PO Giron did not observe § 87(2)(b) bleeding on the machine asking for medical attention.

PO Giron was not aware of any physical force used on § 87(2)(b) or § 87(2)(b). PO Giron did not hear any officer use profanities toward § 87(2)(b) step on his phone, or jab him with an impact weapon.

PO Nova stated (**BR 36**) that an individual named § 87(2)(b) was placed in Flexcuffs by an unknown officer. A supervisor came up to PO Nova and assigned him the arrest. PO Nova did not recall how much time had passed from when he got on scene to when he was assigned § 87(2)(b)’s arrest. PO Nova did not hear an LRAD before or after being given this prisoner. Approximately 15 to 20 minutes later, § 87(2)(b) was transported. During this time PO Nova stayed with his prisoner. PO Nova did not go to the stationhouse with § 87(2)(b).

PO Nova did not recall whether he observed a female in a yellow dress, § 87(2)(b) being arrested. PO Nova did not observe § 87(2)(b) being pushed to the ground. PO Nova did not observe any officer step on any civilian’s cellphone. PO Nova did not observe anyone on scene jabbing anyone with any impact weapon.

At an unspecified time, PO Nova went to the 7th Precinct stationhouse where § 87(2)(b) and other prisoners were being processed. PO Nova did not remember § 87(2)(b) crying in line behind § 87(2)(b). PO Nova fingerprinted § 87(2)(b). When § 87(2)(b) was lodged, there was no one else in the cell. PO Nova did not fingerprint any additional prisoners. PO Nova did not fingerprint § 87(2)(b). PO Nova did not recall § 87(2)(b) bleeding on the

fingerprinting machine. PO Nova did not observe § 87(2)(b) asking for medical attention and she did not ask PO Nova for medical attention.

Conclusion

§ 87(2)(b), § 87(2)(g)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been a party (**BR 37** and **BR 38**).
- PO Krasniqi has been a member of service for 11 years and named a subject in two additional CCRB complaints and four allegations none of which were substantiated.
 - § 87(2)(g)
- Captain Taylor has been a member of service for 22 years and named a subject in four additional CCRB complaints and 12 allegations, three of which were substantiated.
 - 202107634 involved substantiated allegations of a discourteous action, a discourteous word, and a false official statement. The Board recommended charges and the NYPD has yet to impose discipline.

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- § 87(2)(b) filed a Notice of Claim with the City of New York claiming past and future emotional and physical pain and suffering, loss of past or future income and for past or future medical expenses, and other economic damages and seeking damages to be determined by a jury as redress (**BR 39**).
- § 87(2)(b) filed a Notice of Claim with the City of New York claiming past and future emotional and physical pain and suffering, loss of past or future income and for past or future medical expenses, and other economic damages and seeking damages to be determined by a jury as redress (**BR 40**).
 - On January 3, 2022, a call was placed to the New York City Office of the Comptroller to inquire about any 50-H Hearings and a message was left.
- According to the Office of Court Administration (OCA), neither § 87(2)(b) nor § 87(2)(b) have a history of convictions in New York City (**BR 41** and **BR 42**).

Squad No.: 11

Investigator: Kelly Lyon Inv. Kelly Lyon 1/12/2022
Signature Print Title & Name Date

Squad Leader: Edwin Pena IM Edwin Pena 01/12/2022
Signature Print Title & Name Date

Reviewer:

Signature

Print Title & Name

Date